

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

**ERIC ORTIZ, Individually and on Behalf
of All Others Similarly Situated**

PLAINTIFFS

vs.

No. 2:23-cv-40-Z

**MINSK HOSPITALITY MANAGEMENT, LLC,
AMARILLO HOSPITALITY GROUP, LLC,
and JIJU THOMAS VITHAYATHIL**

DEFENDANTS

MOTION FOR EXTENSION OF TIME FOR SERVICE OF PROCESS

Plaintiff Eric Ortiz ("Plaintiff"), individually and on behalf of all others similarly situated, by and through his undersigned counsel, for his Motion for Extension of Time for Service of Process ("Motion"), states and alleges as follows:

1. Plaintiff makes this request in good faith; this Motion is made for good cause and not for the purpose of delay.
2. On March 14, 2023, Plaintiff filed his Original Complaint against Defendants Minsk Hospitality Management, LLC, Amarillo Hospitality Group, LLC and Jiju Thomas Vithayathil.
3. Plaintiff's original deadline to serve Defendants is June 12, 2023.
4. Plaintiff engaged a process server on or around April 17, 2023, but efforts to serve Defendants have continued to be unsuccessful.
5. The process server has tried multiple different addresses, but service has been unsuccessful.
6. The process server has contacted an employee of Minsk Hospitality

Management and was told that the defendant is out of the country.

7. On May 19, 2023, the process server contacted an employee of Minsk Hospitality and was told that a manager would be in after 3:00 p.m. to accept the documents. The process server has not been able to contact a manager since that date.

8. Plaintiff believes that with additional time and continued diligent efforts, Defendants will be successfully served.

9. For the good cause shown, Plaintiff seeks a 90-day extension to serve process on Defendants.

10. Defendants will not be harmed or prejudiced if this Court grants the relief requested herein.

WHEREFORE, premises considered, Plaintiff respectfully requests that this Court enter an Order allowing him an additional 90 days, up to and including September 11, 2023, in which to serve the Summons and Original Complaint on Defendants, and for any other relief that the Court deems just and proper.

Respectfully submitted,

**PLAINTIFF ERIC ORTIZ, Individually
And on Behalf of All Others Similarly
Situated**

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